

## PROPOSED

HOUSE OF REPRESENTATIVES AMENDMENTS TO S.B. 1045

(Reference to Senate engrossed bill)

1 Strike everything after the enacting clause and insert:

2               "Section 1. Title 41, chapter 9, article 3, Arizona Revised Statutes,  
3       is amended by adding section 41-1444, to read:

4                   41-1444. Privacy: public place: public accommodation: state  
5                   preemption: definitions

6           A. THE REGULATION OF ACCESS TO PRIVACY AREAS IN PLACES OF PUBLIC  
7 ACCOMMODATION BASED ON GENDER IDENTITY OR EXPRESSION IS OF STATEWIDE CONCERN  
8 AND IS NOT SUBJECT TO FURTHER REGULATION BY A COUNTY, CITY, TOWN OR OTHER  
9 POLITICAL SUBDIVISION OF THIS STATE.

10               B. A COUNTY, CITY, TOWN OR OTHER POLITICAL SUBDIVISION OF THIS STATE  
11       SHALL NOT ENACT OR ENFORCE AN ORDINANCE OR POLICY THAT REQUIRES A PERSON OR  
12       BUSINESS TO REGULATE ACCESS TO PRIVACY AREAS BASED ON GENDER IDENTITY OR  
13       EXPRESSION.

14 C. NO PERSON OR BUSINESS SHALL BE CIVILLY OR CRIMINALLY LIABLE FOR  
15 DENYING ACCESS TO PRIVACY AREAS BASED ON GENDER IDENTITY OR EXPRESSION.

16 D. THIS SECTION DOES NOT PROHIBIT A PERSON OR BUSINESS FROM ALLOWING  
17 ACCESS TO PRIVACY AREAS BASED ON GENDER IDENTITY OR EXPRESSION.

18 E. ANY ORDINANCE OR POLICY THAT RELATES TO ACCESS TO PRIVACY AREAS  
19 BASED ON GENDER IDENTITY OR EXPRESSION THAT IS INCONSISTENT WITH THIS SECTION  
20 IS VOID AND OF NO FORCE OR EFFECT.

21 F. FOR THE PURPOSES OF THIS SECTION:

1. "GENDER IDENTITY OR EXPRESSION" MEANS EITHER:

23 (a) AN INDIVIDUAL'S SELF-IDENTIFICATION AS MALE, FEMALE OR SOMETHING  
24 IN BETWEEN AND INCLUDES AN INDIVIDUAL'S APPEARANCE, MANNERISMS OR OTHER

1 CHARACTERISTICS ONLY INSOFAR AS THEY RELATE TO GENDER WITH OR WITHOUT REGARD  
2 TO THE INDIVIDUAL'S DESIGNATED SEX AT BIRTH.

3 (b) ANY OTHER SUBSTANTIALLY SIMILAR SELF-IDENTIFICATION OF GENDER.

4 2. "PRIVACY AREAS" MEANS AREAS IN PLACES OF PUBLIC ACCOMMODATION WHERE  
5 ACCESS IS RESTRICTED BASED ON SEX, INCLUDING A PUBLIC RESTROOM, BATHROOM,  
6 SHOWER, BATH, DRESSING ROOM OR LOCKER ROOM.

7 Sec. 2. Emergency

8 This act is an emergency measure that is necessary to preserve the  
9 public peace, health or safety and is operative immediately as provided by  
10 law."

11 Amend title to conform

JOHN KAVANAGH

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C: ns